

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DARIUS WADE,

Plaintiff,

-against-

21 CIVIL 9138 (GHW)

JUDGMENT

SUPERINTENDENT MELECIO,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated March 14, 2023, the R&R is accepted and adopted in its entirety. For the reasons articulated in the R&R, the petition is denied. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 44445 (1962). Petitioner has not made a substantial showing of the denial of a constitutional right, so the Court denies a certificate of appealability under 28 U.S.C. § 2253; accordingly, the case is closed.

Dated: New York, New York

March 15, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk